

REMARKS

A telephone conference between the Examiner and Dennis Smid (one of the applicant's undersigned attorneys) was held on December 5, 2006. The applicant and Mr. Smid wish to thank the Examiner for his time and consideration for such conference.

Claim 2 has been canceled herein. Claim 5, and amended claims 1, 3, 4, and 6 are in this application.

With reference to the Priority paragraph on page 2 of the present Office Action, it is respectfully requested that the Examiner advise the applicant if the Examiner wishes to have a certified translation of the priority document.

The drawings were objected to "as failing to comply with 37 CFR 1.84(p)(5) because the 'certificate server' in Fig. 2 is designated by reference character '70' in the specification, but in Fig. 2 it is designated by reference character '73'." The present application has been amended herein so as to correct this matter. More specifically, the present specification has been amended herein so as to change "70" to "73."

The disclosure was objected to because of an informality. In explaining this objection, the Examiner stated that the "margins should be one inch." During the December 5 telephone conference the Examiner stated that the applicant does not have to supply a new specification. The Examiner indicated that this objection would be withdrawn.

The Examiner stated that the title of the invention is not descriptive and that a new title is required. The title has been amended herein.

Claims 4 and 6 were rejected under 35 U.S.C. 112, second paragraph. Claims 4 and 6 have been amended herein. It is respectfully requested that the 112 rejection of claims 4 and 6 be withdrawn.

Claims 1-5 were rejected under 35 U.S.C. 102(b) as being anticipated by Yano et al. (U.S. Patent No. 6,711,594).

Amended independent claim 1 recites in part the following:

"an identification code generation circuit for generating an identification code unique to the data service apparatus,

. . .

the encryption circuit is operable to perform encryption by utilizing the identification code generated by the identification code generation circuit; and

the decryption circuit is operable to perform decryption by utilizing the identification code generated by the identification code generation circuit." (Emphasis added.)

It is respectfully submitted that Yano as applied by the Examiner does not appear to disclose the above features of claim 1. That is, in discussing the above rejection with regard to claim 2, the Examiner appears to rely on portions of paragraphs 7, 9, and 10 of Yano. As best understood, and as discussed during the December 5 telephone conference, such portions are believed to correspond to line 53 of column 1 to line 3 of column 2, lines 51-64 of column 2, and lines 14-41 of column 6 of Yano. Although such portions of Yano appear to mention "cryptographic key" for encryption/decryption (see lines 51-53 of column 2 of Yano), such portions do not appear to disclose that that such "cryptographic key" of Yano is "an

identification code unique to the data service apparatus" as in claim 1.

Accordingly, it is respectfully submitted that claim 1 is distinguishable from Yano as applied by the Examiner and, as such, it is respectfully requested that the above 102 of claim 1 be withdrawn. Since claims 3-5 depend from claim 1, it is also respectfully requested that the above 102 of claims 3-5 be withdrawn for at least the same reasons. Claim 2 has been canceled.

Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Yano et al. as applied to claims 1-5 above, and further in view of Murty et al. (U.S. P.G. Pub. 2003/0084290).

Claim 6 depends from claim 1. As such, it is respectfully submitted that claim 6 is distinguishable from Yano as applied by the Examiner for at least the reasons previously described. The Examiner does not appear to have relied on Murty to overcome the above-described deficiencies of Yano. Accordingly, it is respectfully submitted that claim 6 is distinguishable over the applied combination of Yano and Murty and, as such, it is requested that the above 103 of claim 6 be withdrawn.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's

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attorney at (908) 654-5000 in order to overcome any additional objections and/or rejections which the Examiner might have.

If there are any charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: December 5, 2006

Respectfully submitted,

By 

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